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July 30, 2012

File No. 15108-0006-JBD

Electronically Filed

The Honorable Tonianne J. Bongiovanni U.S. Magistrate
United States District Court
Clarkson Fisher Fed Bldg & US Courthouse
402 E. State Street
Trenton, NJ 08608

Re: Williams, Guy v. City of Trenton, et al.
Docket No. 3:11-cv-06352

Dear Judge Bongiovanni:

As you are aware, I represent the City of Trenton and Detective Kenneth Lugo in the above matter. Plaintiff recently raised the issue of a proposed amendment to the Complaint, which he forwarded to me and I objected to. As a result, he filed a formal Motion to Amend the Complaint to identify a new party and a new cause of action, which Your Honor has ruled will be returnable on August 20, 2012.

I am writing to withdraw my objection to the proposed amendment to the Complaint, although I explicitly reserve my clients' rights relative to the applicable Statute of Limitations, both with respect to those claims set forth in the initial Complaint and those to be set forth in the Amended Complaint. More particularly, my clients reserve the right to move for Summary Judgment on all Counts of the initial and Amended Complaint based upon, *inter alia*, a violation of the applicable Statute of Limitations.

I would greatly appreciate it if the Court's Order granting leave to plaintiff's counsel to file the Amended Complaint would specifically indicate that my clients have not waived any rights with respect to the applicable Statute of Limitations, nor has the Court ruled on same. If the Court is unwilling to do that, please advise as I will have to file both an opposition to the within motion and a Motion for Summary Judgment setting forth arguments with respect to the applicable Statute of Limitations and on other grounds.



August 1, 2012
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I thank you very much for the Court's attention in this regard and look forward to hearing from it with respect to same.

Respectfully,

s/ J. Brooks DiDonato
J. BROOKS DiDONATO

JBD/dle

cc: Graham F. Baird Esquire (electronically filed)
Matthew B. Weisberg Esquire (electronically filed)